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E-Filed 5/6/2010

9 Attorneys for Defendants
10 CITY OF SUNNYVALE,
11 CHRIS SEARLE and DARREN PANG

12 UNITED STATE DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 ERIKA CANAS, JOSE CANAS, a minor, by
15 and through his guardian ad litem, and JESUS
16 CANAS, by and through his guardian ad litem,

17 Plaintiffs,
18 vs.

19 CITY OF SUNNYVALE, CHRIS SEARLE,
20 DARREN PANG and DOES ONE through
21 TWENTY-FIVE,

22 Defendants.

23 Case No.: C08-05771 JF (PVT)

24 **STIPULATION AND [PROPOSED] ORDER
25 CONTINUING CASE MANAGEMENT
CONFERENCE AS MODIFIED BY THE COURT**

26 The parties, acting by and through their respective legal counsel, herein stipulate for an Order
27 continuing the Case Management Conference from Friday, 10:30 a.m., May 14, 2010 to a new
28 9:00 a.m. hearing date of Friday, 10:30 a.m., July 9, 2010. The filing date of the Joint Case Management
Statement is continued to July 2, 2010.

29 Good cause exists for this stipulation because defendants have filed a motion to dismiss the
30 plaintiffs' Fourth Amended Complaint which is scheduled for hearing on Friday July 9, 2010. It is
31 therefore presently uncertain which causes of action, if any, will proceed. The parties agree that said
32 motion should be resolved and the case be "at issue" before the Case Management Conference is held
33 with the Court.

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1 So Stipulated:

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3 Dated: May 5, 2010

ROBERTS & ELLIOT LLP

4 By: _____/s/
5 James Roberts, Attorney for Plaintiffs

6

7 Dated: May 5, 2010

BERTRAND, FOX & ELLIOT

8

9

10 By: _____/s/
11 Gregory M. Fox
12 Attorneys for Defendants
13 CITY OF SUNNYVALE, CHRIS SEARLE and
14 DARREN PANG

15 **ATTORNEY ATTESTATION**

16 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
17 "conformed" signature (/s/) within this E-filed document.

18 Dated: May 5, 2010

_____/s/
Gregory M. Fox

19

20 **ORDER**

21 Good cause appearing, the stipulation is so ordered.

22

23 Dated: 5/6/2010, 2010

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Honorable Jeremy Fogel
UNITED STATES DISTRICT COURT

